

REMARKS

This paper is filed in response to the office action mailed on August 6, 2003. Because it is timely filed, no extension of time fee is due herewith.

In the office action, the examiner makes the restriction requirement final and, in response, claims 12-29 have been canceled and submitted with a divisional application that is being filed herewith.

Next, the office action rejects claims 1-10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,324,788 ("Kuo"). In response, claims 1-8 have been amended and, more specifically, claim 1 has been amended to recite an organic anti-reflective coating polymer that has or is of the structure of Formula 1. The "comprising" transition term has been removed.

Kuo is not directed toward anti-reflective coating polymers. Instead, Kuo is directed toward a thermal-setting coating composition, *i.e.*, enamel or adhesive compositions. Not only is Kuo directed toward a different field of art, Kuo does not teach or suggest the polymer of Formula 1 of claim 1. Instead, Kuo merely recites ways to prepare similar structures, but not one identical to Formula 1 and therefore the anticipation rejection of claims 1-10 as being anticipated by Kuo is improper for two reasons. First, Kuo does not teach or suggest a polymer of Formula 1 and, second Kuo does not teach or suggest an organic anti-reflective coating polymer of any type or specifically an anti-reflective coating polymer of Formula 1.

Next, the office action rejects claims 1-11 under 35 U.S.C. § 102(e) as being anticipated by U.S. patent application no. US 2003/0077538 ("Kitson"). Kitson is not prior art. Kitson has a filing date of September 7, 2001. Section 102(e) only applies of that filing date is before the invention claimed in the present application. The present application claims a priority to Korean application no. 2001-11724, filed on March 7, 2001. Thus, the priority date of the present application precedes the priority date of Kitson and therefore Kitson is not prior art under §102(e).

Finally, claim 11 is rejected under 35 U.S.C. § 103 as being obvious in view of Kuo. Due to the amendment of claim 1, applicants respectfully submit that this rejection is traversed.

An early action indicating the allowablity of this application is earnestly solicited.

The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Respectfully submitted,

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November 6, 2003

By:

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